

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

DATA CLOUD TECHNOLOGIES, LLC,

Plaintiff,

v.

WPENGINE, INC.,

Defendant.

Civil Action No. 6:22-cv-00786-ADA-DTG

STIPULATION FOR DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), DATA CLOUD TECHNOLOGIES, LLC and Defendant WPENGINE, INC. (collectively, the “Parties”), by and through their respective counsel, hereby file this Stipulation of Dismissal, dismissing all claims in this action with prejudice. The Parties shall each bear their own fees, costs, and expenses.

December 28, 2022

Respectfully submitted,

By: /s/ James F. McDonough, III

Jonathan L. Hardt (TX 24039906)*
ROZIER HARDT McDONOUGH PLLC
712 W. 14th Street, Suite C
Austin, Texas 78701
Telephone: (210) 289-7541
Email: hardt@rhmtrial.com

C. Matthew Rozier (CO 46854)**
ROZIER HARDT McDONOUGH PLLC
2590 Walnut Street, Suite 10
Denver, Colorado 80205
Telephone: (720) 820-3006
Email: matt@rhmtrial.com

James F. McDonough, III (GA 117088)*
Jonathan R. Miller (GA 507179)*
Travis E. Lynch (GA 162373)*
ROZIER HARDT McDONOUGH PLLC
3621 Vinings Slope, Suite 4300
Atlanta, Georgia 30339
Telephone: (470) 480-9505, -9517, -9514
Email: jim@rhmtrial.com
Email: miller@rhmtrial.com
Email: lynch@rhmtrial.com

Attorneys for Plaintiff
DATA CLOUD TECHNOLOGIES, LLC

*Admitted to the Western District of Texas

** Admission *pro hac vice* anticipated

/s/ David P. Whittlesey #

David P. Whittlesey*
SHEARMAN & STERLING LLP
300 West 6th Street, 22nd Floor
Austin, Texas 78701
Telephone: (512) 647-1907
Facsimile: (512) 857-6602
Email: David.Whittlesey@Shearman.com

Patrick Colsher***
SHEARMAN & STERLING LLP
1460 El Camino Real, 2nd Floor
Menlo Park, California 94025
Telephone: (650) 838-3728
Email: Patrick.Colsher@Shearman.com

Attorneys for Defendant
WPENGINE, INC.

e-signed with express permission

*Admitted to the Western District of Texas

*** Admitted *pro hac vice*

CERTIFICATE OF SERVICE

I certify that on December 28, 2022, I caused to be electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record *via* email.

By: /s/ James F. McDonough, III
James F. McDonough, III